

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 20, 2010
POSITION: Oppose

BILL NUMBER: SB 962
AUTHOR: C. Liu

BILL SUMMARY: Prisoners: Termination of Parental Rights

This bill would amend law to facilitate the participation of prisoners by videoconference in child dependency proceedings.

FISCAL SUMMARY

The bill would authorize the California Department of Corrections and Rehabilitation (CDCR) to establish a pilot program to facilitate the participation of incarcerated parents in dependency court hearings, provided the Department of Finance (Finance) has determined sufficient private funds exist to fully support such a program. Finance notes that researching the possibility of funding such a program would impose additional workload for CDCR and likely Finance as well. An estimate of the workload is not available, but would include workload related to family services at CDCR, as well as technology and facilities research costs. Additionally, it is not clear what would happen with such funds should a determination be made that they were not sufficient to cover programmatic costs.

The requirements for a court would be discretionary, and therefore, would not impose costs on the courts. However, Finance notes that such an expectation of conferencing options would impose General Fund cost pressures.

COMMENTS

Finance is opposed to this bill. Although the bill would not impose the pilot program absent sufficient private funding being made available, it would create a new cost and workload pressure that may or may not be funded, depending on private donation collections. During this time of limited state resources and cutbacks, it is not appropriate to create a new program, and impose new workload.

Under existing law, notice must be provided to a prisoner in advance of certain court proceedings regarding the prisoner's child. This bill would, at a court's discretion, allow a prisoner to participate in a child dependency hearing by videoconference, provided such technology is available. The bill also would state that a prisoner shall not lose internal job placement opportunities or other privileges as a result of these proceedings, subject to specified conditions. The bill would also authorize CDCR to establish a pilot project to facilitate the participation of incarcerated parents in dependency court hearings, to be funded with private funds, once Finance has made a determination that funds are sufficient to support the program.

Analyst/Principal (0211)J. Osborn	Date	Assistant Program Budget Manager Zlatko Theodorovic	Date
--------------------------------------	------	--	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
----------------------	-----------------------------

BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

C. Liu

April 20, 2010

SB 962

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2009-2010	FC	2010-2011	FC	2011-2012	Code
0250/Jud Branch	LA	No		-----	No/Minor Fiscal Impact	-----			0001
5225/Corr & Rehab	SO	No		-----	See Fiscal Summary	-----			0001
8860/Finance	SO	No		-----	See Fiscal Summary	-----			0001